

Senate Amendment 3211

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1 1 Amend Senate File 245 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. 2008 Iowa Acts, chapter 1094, section
1 5 2, subsection 1, is amended to read as follows:
1 6 1. "Apprentice sprinkler fitter" means a person
1 7 who, ~~as a principal occupation,~~ is engaged in learning
1 8 the fire protection system industry trade under the
1 9 direct supervision of a certified fire extinguishing
1 10 system contractor or licensed fire sprinkler installer
1 11 and maintenance worker and who is registered with the
1 12 United States department of labor, office of
1 13 apprenticeship.
1 14 Sec. 2. 2008 Iowa Acts, chapter 1094, section 2,
1 15 is amended by adding the following new subsection:
1 16 NEW SUBSECTION. 2A. "Division" means division of
1 17 the state fire marshal in the department.
1 18 Sec. 3. 2008 Iowa Acts, chapter 1094, section 2,
1 19 subsection 7, is amended to read as follows:
1 20 7. "Fire sprinkler installer and maintenance
1 21 worker" means a person who, ~~as a principal occupation,~~
1 22 ~~and~~ having the necessary qualifications, training,
1 23 experience, and technical knowledge, conducts fire
1 24 protection system installation and maintenance, and
1 25 who is licensed by the department.
1 26 Sec. 4. 2008 Iowa Acts, chapter 1094, section 3,
1 27 subsection 1, is amended to read as follows:
1 28 1. ~~A~~ On or after January 1, 2010, a person shall
1 29 not perform fire protection system installations or
1 30 fire protection system maintenance without ~~first~~
1 31 ~~obtaining~~ holding a current, valid fire protection
1 32 sprinkler installer and maintenance worker license
1 33 issued pursuant to this chapter.
1 34 a. An employee of a fire extinguishing system
1 35 contractor working as an apprentice sprinkler fitter
1 36 performing fire protection system installation or
1 37 maintenance under the direct supervision of an on-site
1 38 licensed fire sprinkler installer and maintenance
1 39 worker is not required to ~~obtain hold~~ a current, valid
1 40 fire sprinkler installer and maintenance worker
1 41 license.
1 42 b. A person who installs or demolishes walls,
1 43 ceilings, flooring, insulation, or associated
1 44 materials or a person who demolishes sprinkler pipe is
1 45 not subject to the provisions of this chapter except
1 46 when the work involves a complete sprinkler system.
1 47 c. A person who is a responsible managing employee
1 48 of a fire extinguishing system contractor is not
1 49 required to hold a current, valid fire sprinkler
1 50 installer and maintenance worker license.
2 1 Sec. 5. 2008 Iowa Acts, chapter 1094, section 3,
2 2 subsection 5, is amended by striking the subsection.
2 3 Sec. 6. 2008 Iowa Acts, chapter 1094, section 3,
2 4 subsection 2, is amended to read as follows:
2 5 2. A licensed fire sprinkler installer and
2 6 maintenance worker must be present at all locations
2 7 and at all times when fire protection system
2 8 installation work is being performed. At least one
2 9 licensed fire sprinkler installer and maintenance
2 10 worker must be present for every three apprentice
2 11 sprinkler fitters, ~~or any other employees~~ performing
2 12 work related to fire protection system installation.
2 13 Sec. 7. 2008 Iowa Acts, chapter 1094, section 3,
2 14 subsection 6, is amended to read as follows:
2 15 6. ~~On and after August 1, 2009~~ January 1, 2010, a
2 16 governmental subdivision shall not issue a license to
2 17 a person installing a fire protection system and shall
2 18 not prohibit a person installing fire protection
2 19 systems and licensed pursuant to this chapter from
2 20 performing services for which that person is licensed
2 21 pursuant to this chapter or enforce any licensing
2 22 provisions promulgated by the governmental subdivision
2 23 against a person licensed pursuant to this chapter.
2 24 Sec. 8. 2008 Iowa Acts, chapter 1094, section 4,

2 25 is amended to read as follows:
2 26 SEC. 4. 100D.3 FIRE SPRINKLER INSTALLER AND
2 27 MAINTENANCE WORKER LICENSE.
2 28 1. The state fire marshal shall issue a fire
2 29 sprinkler installer and maintenance worker license to
2 30 an applicant who ~~possesses~~ meets all of the following
2 31 requirements:
2 32 a. ~~Possesses~~ a minimum of four years of employment
2 33 experience as an apprentice sprinkler fitter ~~and~~.
2 34 b. ~~Has~~ completed a United States department of
2 35 labor apprenticeship program ~~and is~~.
2 36 c. ~~Is~~ employed by a fire extinguishing system
2 37 contractor, ~~who either receives~~. However, an
2 38 applicant whose work on extinguishing systems will be
2 39 restricted to systems on property owned or controlled
2 40 by the applicant's employer may obtain a license if
2 41 the employer is not a certified contractor.
2 42 d. ~~Has received~~ a passing score on the national
2 43 inspection, testing, and certification star fire
2 44 sprinkler mastery exam or on an equivalent exam from a
2 45 nationally recognized third-party testing agency that
2 46 is approved by the state fire marshal, or ~~who~~ is
2 47 certified at level one by the national institute for
2 48 certification in engineering technologies ~~based on~~
2 49 general work elements, as defined by the national
2 50 institute for certification in engineering
3 1 technologies, and as specified by rule by the state
3 2 fire marshal.
3 3 2. The holder of a fire sprinkler installer and
3 4 maintenance worker license shall be responsible for
3 5 license fees, renewal fees, and continuing education
3 6 hours.
3 7 3. The license of a fire sprinkler installer and
3 8 maintenance worker licensee who ceases to be employed
3 9 by a fire extinguishing system contractor shall
3 10 continue to be valid until it would otherwise expire,
3 11 but the licensee shall not perform work requiring
3 12 licensure under this chapter until the licensee is
3 13 again employed by a fire extinguishing system
3 14 contractor. If the licensee becomes employed by a
3 15 fire extinguishing system contractor other than the
3 16 contractor which employed the licensee at the time the
3 17 license was issued, the licensee shall notify the fire
3 18 marshal and shall apply for an amendment to the
3 19 license. The fire marshal may establish by rule a fee
3 20 for amending a license. This subsection shall not
3 21 extend the time period during which a license is
3 22 valid. This subsection does not apply to a licensee
3 23 whose work on extinguishing systems is restricted to
3 24 systems on property owned or controlled by the
3 25 licensee's employer.
3 26 Sec. 9. 2008 Iowa Acts, chapter 1094, section 5,
3 27 subsections 1 and 3, are amended to read as follows:
3 28 1. An applicant for a fire sprinkler installer and
3 29 maintenance worker license or renewal of an active
3 30 license shall provide evidence of a public liability
3 31 insurance policy and surety bond in an amount
3 32 determined sufficient by the ~~department~~ fire marshal
3 33 by rule.
3 34 3. The insurance and surety bond shall be written
3 35 by an entity licensed to do business in this state and
3 36 each licensee shall maintain on file with the
3 37 department a certificate evidencing the insurance
3 38 providing that the insurance or surety bond shall not
3 39 be canceled without the entity first giving fifteen
3 40 days written notice to the ~~department~~ fire marshal.
3 41 Sec. 10. 2008 Iowa Acts, chapter 1094, section 6,
3 42 subsection 5, is amended to read as follows:
3 43 5. Adopt rules specifying a violation reporting
3 44 procedure ~~applicable to division employees, deputy~~
3 45 ~~fire marshals, division inspectors, and municipal fire~~
3 46 ~~departments~~.
3 47 Sec. 11. 2008 Iowa Acts, chapter 1094, section 9,
3 48 is amended to read as follows:
3 49 SEC. 9. 100D.8 ~~TEMPORARY~~ PROVISIONAL LICENSURE.
3 50 1. An applicant for licensure under this chapter
4 1 as a fire sprinkler installer and maintenance worker
4 2 who possesses a minimum of four years of experience as
4 3 an apprentice sprinkler fitter and who has not
4 4 successfully passed the licensure examination or
4 5 achieved certification as required pursuant to section

4 6 100D.3 by ~~August 1, 2009~~ January 1, 2010, shall be
4 7 issued a ~~temporary~~ license as a fire sprinkler
4 8 installer and maintenance worker for a period of ~~sixty~~
4 9 ~~days commencing August 1, 2009~~ ending no later than
4 10 June 30, 2010. A ~~temporary~~ provisional license shall
4 11 be granted upon presentation of satisfactory evidence
4 12 to the ~~department~~ fire marshal demonstrating
4 13 experience and competency in conducting fire
4 14 protection system installations and fire protection
4 15 system maintenance according to criteria to be
4 16 determined by the ~~department~~ fire marshal in rule. A
4 17 ~~temporary license shall not be renewed.~~

4 18 2. An applicant issued a ~~temporary~~ provisional
4 19 license pursuant to this section shall pass the
4 20 licensure examination or achieve certification on or
4 21 before ~~February 1~~ June 30, 2010, in order to remain
4 22 licensed as a fire sprinkler installer and maintenance
4 23 worker. A ~~temporary~~ provisional license fee shall be
4 24 established by the ~~department~~ fire marshal by rule.
4 25 No ~~temporary~~ provisional licenses ~~will~~ shall be issued
4 26 after ~~February~~ April 1, 2010.

4 27 Sec. 12. 2008 Iowa Acts, chapter 1094, section 10,
4 28 subsections 2 and 3, are amended to read as follows:

4 29 2. A passing score on the national inspection,
4 30 testing and certification star fire sprinkler mastery
4 31 exam or an equivalent exam from a nationally
4 32 recognized third-party testing agency that is approved
4 33 by the state fire marshal.

4 34 3. ~~A passing score on the NICET level I~~
4 35 ~~examination. Certification, based upon general work~~
4 36 ~~elements, as defined by the national institute for~~
4 37 ~~certification in engineering technologies, at level I~~
4 38 ~~by the national institute for certification in~~
4 39 ~~engineering technologies, and as specified by rule by~~
4 40 ~~the state fire marshal.~~

4 41 Sec. 13. 2008 Iowa Acts, chapter 1094, section 10,
4 42 is amended by adding the following new unnumbered
4 43 paragraph:

4 44 NEW UNNUMBERED PARAGRAPH. After July 31, 2012, a
4 45 person licensed pursuant to this section shall renew
4 46 or obtain a license pursuant to section 100D.3.

4 47 Sec. 14. 2008 Iowa Acts, chapter 1094, section 12,
4 48 is amended by adding the following new subsection:

4 49 NEW SUBSECTION. 3. The provisions of this chapter
4 50 shall not be construed to apply to a person licensed
5 1 as a plumber pursuant to chapter 105 who is working
5 2 within the scope of the person's license.

5 3 Sec. 15. 2008 Iowa Acts, chapter 1094, is amended
5 4 by adding the following new section after section 13:

5 5 SEC. ____ NEW SECTION. 100D.13 TEMPORARY
5 6 LICENSES.

5 7 1. The state fire marshal may issue a temporary
5 8 fire sprinkler installer and maintenance worker
5 9 license to a person, providing that all of the
5 10 following conditions are met:

5 11 a. The person is currently licensed or certified
5 12 to perform work as a fire sprinkler installer and
5 13 maintenance worker in another state.

5 14 b. The person meets any additional criteria for a
5 15 temporary license established by the state fire
5 16 marshal by rule.

5 17 c. The person provides all information required by
5 18 the state fire marshal.

5 19 d. The person has paid the fee for a temporary
5 20 license, which fee shall be established by the state
5 21 fire marshal by rule.

5 22 e. The person intends to perform work as a fire
5 23 sprinkler installer and maintenance worker only in
5 24 areas of this state which are covered by a disaster
5 25 emergency declaration issued by the governor pursuant
5 26 to section 29C.6.

5 27 2. A temporary license issued pursuant to this
5 28 section shall be valid for ninety days. The state
5 29 fire marshal may establish criteria and procedures for
5 30 the extension of such licenses for additional periods,
5 31 which in no event shall exceed ninety days.

5 32 3. A temporary license shall be valid only in
5 33 areas of the state which are subject to a disaster
5 34 emergency declaration issued by the governor pursuant
5 35 to section 29C.6 at the time at which the license is
5 36 issued, which become subject to such a declaration

5 37 during the time the license is valid, or which were
5 38 subject to such a declaration issued within the six
5 39 months preceding the issuance of the license.>
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